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*Co-Lead Counsel for Plaintiffs and  
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[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

THOMAS SPITZER, Individually and  
on Behalf of All Others Similarly  
Situated,

Plaintiff,

v.

ROBERT C. FLEXON, DARREN R.  
JAMISON, JOHN J. JURIC, SCOTT W.  
ROBINSON, and FREDERICK S.  
HENCKEN III,

Defendants.

Case No. 2:23-cv-08659-HDV (MARx)

**CLASS ACTION**

**NOTICE OF PLAINTIFFS' UNOPPOSED  
MOTION FOR FINAL APPROVAL OF  
SETTLEMENT AND PLAN OF  
ALLOCATION, AND FINAL  
CERTIFICATION OF SETTLEMENT CLASS**

Date: November 13, 2025

Time: 10:00 a.m.

Courtroom: 5B

Judge: Hon. Hernán D. Vera

PLEASE TAKE NOTICE that Lead Plaintiff Michael Denisevich and Plaintiff Kevin Rudisill (collectively, “Plaintiffs”),<sup>1</sup> individually and on behalf of all others similarly situated, will hereby move this Court on November 13, 2025 at 10:00 a.m. before the Honorable Hernán D. Vera, United States District Judge of the United States District Court for the Central District of California, First Street Courthouse, 350 W. 1st Street, Los Angeles, California 90012, Courtroom 5B, for an Order granting: (i) final approval of the proposed Settlement; (ii) final approval of the Plan of Allocation; and (iii) final certification of the proposed Settlement Class for settlement purposes only.

Plaintiffs base this motion upon the Memorandum of Points and Authorities in Support of Plaintiffs’ Unopposed Motion for Final Approval of Settlement and Plan of Allocation, and Final Certification of Settlement Class, the Joint Declaration of Brenda Szydlo and Jonathan Stern in Support of Plaintiffs’ Motions For (1) Final Approval of Proposed Class Action Settlement; and (2) Award of Attorneys’ Fees, Reimbursement of Expenses, and Awards to Plaintiffs (the “Joint Declaration”), the Declaration of Sarah Evans Concerning: (A) Mailing and Emailing of Notice; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion and Objections, and all exhibits attached thereto, all records and papers on file in this Action, and any argument offered at a hearing on this motion.

Defendants do not oppose this motion. Plaintiffs previously filed a [Proposed] Final Judgment Approving Class Action Settlement (Dkt. No. 61-6) providing for the relief requested herein. For the Court’s convenience, a copy of the [Proposed] Final Judgment Approving Class Action Settlement is attached to the Joint Declaration as Exhibit 6 and filed herewith.

Dated: October 9, 2025

Respectfully submitted,

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<sup>1</sup>All capitalized terms used herein have the meanings set forth and defined in the Stipulation and Agreement of Settlement, dated April 4, 2025 (the “Stipulation”). Dkt. No. 61-1.

**POMERANTZ LLP**/s/ Brenda Szydlo

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***Additional Counsel to Lead Plaintiff***

**CERTIFICATE OF SERVICE**

I hereby certify that on October 9, 2025, a copy of the foregoing was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Brenda Szydlo  
Brenda Szydlo